

REMARKS

The Examiner is thanked for the performance of a thorough search and for considering the references included in the Information Disclosure Statements (IDS) filed on October 26, 2007 and January 16, 2008.

Claims 12-21 have been amended. No claims have been added or canceled. Hence, Claims 1-10 and 12-39 are pending in the present application.

Each issue raised in the final Office Action mailed March 18, 2008 is addressed hereinafter.

I. REJECTIONS OF CLAIMS 12-21 UNDER 35 U.S.C. § 101

Claims 12-21 were rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter.

The rejected Claim 12 included the feature of a “computer-readable storage medium”, which is directed to an article of manufacture that is statutory subject matter under 35 U.S.C. § 101. Each of the rejected Claims 13-21 depends directly or indirectly from Claim 12, and thus includes the above feature of Claim 12; thus, each of dependent Claims 13-21 is also directed to statutory subject matter.

Nevertheless, solely in order to address the concerns of the final Office Action, each of Claims 12-21 has been amended herein to feature a “computer-readable volatile or non-volatile storage medium” Thus, it is respectfully submitted that each of Claims 12-21 is directed to an article of manufacture, which is statutory subject matter. Further, the Applicants’ believe that the present amendment to Claims 12-21 fully overcomes the rejection of these claims under 35 U.S.C. § 101. For this reason, reconsideration and withdrawal of the rejection of Claims 12-21 under 35 U.S.C. § 101 is respectfully requested.

II. ISSUES RELATING TO THE CITED ART

A. INDEPENDENT CLAIMS 1, 12, 22, AND 30

Each of independent Claims 1, 12, 22, and 30 was rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over Lund et al., U.S. Patent Application Publication No. US 2003/0078999 (“LUND”) in view of Arndt, U.S. Patent No 6,826,611 (“ARNDT”), and further in view of Lee et al., U.S. Patent No. 6,714,972 (“LEE”). The rejection is respectfully traversed.

Both LEE and the present application are assigned to the same assignee, Cisco Technology, Inc. Further, for the purpose of a rejection under 35 U.S.C. § 103(a), LEE qualifies as a prior art reference against Claims 1, 12, 22, and 30 only under 35 U.S.C. § 102(e). Thus, under the provisions of 35 U.S.C. § 103(c), LEE cannot be used to reject Claims 1, 12, 22, and 30 under 35 U.S.C. § 103(a). For this reason, removal of LEE as a reference in the rejection of Claims 1, 12, 22, and 30 is respectfully requested.

The Applicants’ further believe that the removal of LEE as a reference fully addresses the issues raised in the final Office Action and overcomes the rejection of independent Claims 1, 12, 22, and 30. For these reasons, Claims 1, 12, 22, and 30 are patentable under 35 U.S.C. § 103(a) over LUND in view of ARNDT and further in view of LEE. Reconsideration and withdrawal of the rejection of Claims 1, 12, 22, and 30 is respectfully requested.

B. DEPENDENT CLAIMS 2-10, 13-21, 23-29, AND 31-39

Claims 3-4, 7-9, 14-15, 18-20, 24-25, 28-29, 32-33, and 36-38 were rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over LUND in view of ARNDT and further in view of LEE. Claims 2, 10, 13, 21, 23, 31, and 39 were rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over LUND in view of ARNDT, further in view of LEE, and further in view of Reece et al., WO 1999/041937 (“REECE”). Claims 5, 16, 26, and 34 were rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over LUND in view of ARNDT, further in view of LEE,

and further in view of Douglas E. Comer, *Computer Networks and Internets*, Prentice Hall 1997 (“COMER”). Claims 6, 17, 27, and 35 were rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over LUND in view of ARNDT, further in view of LEE, and further in view of “Using the ARP and Inverse ARP Protocols”, *OpenROUTE Networks*, 1998 (“OpenROUTE”).

Thus, the rejection of each of Claims 3-4, 7-9, 14-15, 18-20, 24-25, 28-29, 32-33, and 36-38 is based at least in part on LEE. However, as discussed above with respect to independent Claims 1, 12, 22, and 30, LEE cannot be used as a reference under 35 U.S.C. § 103(a) to reject the claims in the present application. Thus, each of Claims 2-10, 13-21, 23-29, and 31-39 is allowable for the reasons given above for Claims 1, 12, 22, and 30.

In addition, each of Claims 2-10, 13-21, 23-29, and 31-39 introduces one or more additional features that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those features is not included at this time. Therefore, it is respectfully submitted that Claims 2-10, 13-21, 23-29, and 31-39 are allowable for the reasons given above with respect to Claims 1, 12, 22, and 30. Reconsideration and withdrawal of the rejection of Claims 2-10, 13-21, 23-29, and 31-39 is respectfully requested.

III. CONCLUSION

The Applicants believe that all issues raised in the Office Action have been addressed. Further, for the reasons set forth above, the Applicants respectfully submit that allowance of the pending claims is appropriate. Reconsideration of the present application is respectfully requested in light of the amendments and remarks herein.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If applicable, a law firms check for the petition for extension of time fee is enclosed herewith. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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Dated: April 29, 2008

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